

City of Kerrville Planning & Zoning Commission Agenda

Thursday, May 15, 2008 4:30 p.m.*

City Hall City Council Chambers, 800 Junction Highway, Kerrville, TX

The meeting place has wheelchair accessibility and available accessible parking spaces. Please call the City of Kerrville Planning Division at (830) 792-8354 forty-eight hours (72) before the meeting to request accommodations.

1. *4:15 p.m. Pre-Meeting Session, City Council Chambers

Review of today's agenda items between Staff and the Commission. No action will be taken and there is to be no discussion between the Commission and the applicant(s) or other audience.

2. 4:30 p.m. Call to Order

Chairperson calls the meeting to order; roll call.

Page

3. Visitor/Citizens' Forum

Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commission's Secretary prior to the meeting. The number of speakers will be limited to the first ten speakers and each speaker is limited to three minutes. (No formal action can be taken on these items as the Open Meetings Act requires formal action items be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

4. Consent Agenda

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

4A. Approve the minutes from the meeting of April 3, 2008.

2

4B. Approve the minutes from the meeting of April 17, 2008.

4

5. Public Hearing

5A. Replat: Kerrville Country Estates Section Two – A replat of two (2) lots into one (1), an 11.04 acre tract located north of IH-10, fronting on Kerrville Country Drive. Zoned: ETJ. Applicant: Voelkel Engineering and Surveying. (File No. 2008-18)

6

6. Action Items

6A. Preliminary Plat: Riverside Church of Christ – A one (1) lot 6.53 acre tract located at 625 Harper Road. Zoned: RC. Applicant: Voelkel Engineering and Surveying (File No. 2008-19)

7

6B. Waiver Request – Consider a request for a waiver to Article 10-IV-4, Section A.k, Utility Placement of the Subdivision Regulations for the Maude Jennings Subdivision. Zoned: RC. Applicant: Habitat for Humanity-Kerr County. (File No. 2007-33)

9

7. Staff Reports

7A. Future Agenda Items. Applicant: Senior Planner

15

7B. Director's Report: Director of Development Services

8. Adjourn - The next scheduled meeting is Thursday, June 5, 2008.

City of Kerrville Planning & GIS Division – www.kerrville.org/planning

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4A **FOR AGENDA OF:** May 15, 2008
DESCRIPTION: Approval of minutes of April 3, 2008.
APPLICANT(S): Planning and Zoning Commission Secretary
ATTACHMENT(S): Minutes

The Commission Secretary recommends approval of the proposed minutes

MEMBERS PRESENT:

Bruce Motheral, Chairperson
Jim Kessler, Vice Chairperson
Andy Phillips, Commissioner
Mack Hamilton, Ex-Officio City Councilperson

MEMBERS ABSENT

Harold Buell, Commissioner
George Hager, Commissioner
Paul Hofmann, Ex-Officio City Manager

STAFF PRESENT:

Kevin Coleman, Director of Development Services
Gordon Browning, Senior Planner
Trina Ramirez, Planning and Zoning Commission Secretary
Mike Wellborn, City Engineer

1. CALL TO ORDER:

On April 3, 2008, the Kerrville Planning and Zoning Commission regular meeting was called to order at 4:30 p.m. in the City Hall Council Chambers, 800 Junction Highway.

2. VISITOR/CITIZENS FORUM:

3. CONSENT AGENDA

3A. Approval of the minutes from the meeting of March 20, 2008.

Cmr. Kessler moved for approval of the consent agenda item; motion was seconded by Cmr. Phillips and passed 3-0.

4. Action Item

4A. Preliminary Plat: Crescent Park – A four (4) lot 10.026 acre tract located at 1273 Bandera Hwy (SH 173). Zoned : S-33. Applicant: Vordenbaum Engineering, Inc. (File No. 2008-15)

Harvey Brinkman gave a brief description of the preliminary plat to the Commission.

Comr. Phillips questioned the off site drainage easement that the developer will be required to have.

Mike Wellborn, City Engineer, explained to the Commission the requirements of the off set drainage easement.

Comr Phillips moved for approval of the preliminary plat; with the staff comments; motion was seconded by Comr. Kessler and passed 3-0

5. Discussion Items

5A. Review and discuss the Comprehensive Plan Update Committee's progress and proposed meeting schedule.

5B. Discuss proposed schedule for rewriting the City's Subdivision Regulations.

6. STAFF REPORTS

6A. Future Agenda Items/Project Update. Applicant: Senior Planner.

6B. Director's Report. Applicant: Director of Development Services.

7. Adjourn – The next scheduled meeting is Thursday, April 17, 2008.

The meeting adjourned at 5:01 p.m.

ATTEST:

Bruce Motheral, Chairperson

Trina Ramirez, Recording Secretary

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 4B **FOR AGENDA OF:** May 15, 2008
DESCRIPTION: Approval of minutes of April 17, 2008
APPLICANT(S): Planning and Zoning Commission Secretary
ATTACHMENT(S): Minutes

The Commission Secretary recommends approval of the proposed minutes

MEMBERS PRESENT:

Bruce Motheral, Chairperson
Jim Kessler, Vice Chairperson
Harold Buell, Commissioner
George Hager, Commissioner
Mack Hamilton, Ex-Officio City Councilperson

Charles W. "Walt" Roetter, Chairperson
Justin T MacDonald, Vice- Chairperson
John Mosty, Committee Member
Lisa Nye-Salladin, Committee Member
Wesley Dorman, Committee Member

MEMBERS ABSENT

Andy Phillips, Commissioner
William Morgan, Committee Member
Ward Wueste, Committee Member
Paul Hofmann, Ex-Officio City Manager

STAFF PRESENT:

Kevin Coleman, Director of Development Services
Gordon Browning, Senior Planner
Trina Ramirez, Planning and Zoning Commission Secretary

1. CALL TO ORDER:

On April 17, 2008, the Kerrville Planning and Zoning Commission and The Comprehensive Plan Update Committee joint meeting was called to order at 6:04 p.m. in the City Hall Council Chambers, 800 Junction Highway.

2. INTRODUCTION OF COMMISSION AND COMMITTEE MEMBERS

3. PRESENTATION BY THE CPUC CHAIRMAN OF THE PROPOSED

**REVISIONS TO LINK 3 LAND USE ELEMENT OF THE
COMPREHENSIVE**

Walt Roetter, gave a presentation on the Committees recommended changes to Link 3 – Land Use.

Bruce Motheral suggested extending Harper Rd as commercial on the Land use map as in the future it will become commercial

Mack Hamilton, suggested designating defining Harper Rd and Memorial Blvd as transition areas that are becoming commercial areas. Mr. Hamilton also suggested redefining some growth areas in the Comprehensive Plan as transitional. He also suggested creating a list of the changes made to the land use map list in the plan.

Walt Roetter stated that the City needs more sidewalks for pedestrians.

4. Adjourn –

The meeting adjourned at 6:57 p.m.

ATTEST:

Bruce Motheral, Chairperson

Trina Ramirez, Recording Secretary

Walt Roetter, Chairperson

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 5A **FOR AGENDA OF:** May 15, 2008

DESCRIPTION: **Replat: Kerrville Country Estates Section Two** – A replat of two (2) lots into one (1), an 11.04 acre tract located north of IH-10, fronting Kerrville Country Drive. Zoned: ETJ. (File No. 2008-18)

APPLICANT(S): Voelkel Engineering and Surveying

ATTACHMENT(S): Plat

SUMMARY STATEMENT – FINDING OF FACT

History/Timeline:

- July 1978 – Final plat for Kerrville Country Estates Section Two approved and recorded.
- June 1991 – Replat of Lot 44, Kerrville Country Estates Section Two, into three (3) lots approved and recorded.
- April 4, 2008 – Replat of Lots 44B and 44C, Kerrville Country Estates Section Two submitted for review.
- April 16, 2008 – Development Review Committee (DRC) process completed.
- April 25, 2008 – Staff comments to applicant.
- **May 15, 2008** – **Consideration of replat by Commission.**

Summary/Informational Comments:

- Subject tract is totally within the ETJ of the City of Kerrville.
- The City of Kerrville does not have public water or sanitary sewer in the area to serve this development. Water will be by private well, sanitary sewer by OSSF.
- Kerrville Country Road is identified as a ‘collector street’ on the City’s adopted Thoroughfare Plan.

RECOMMENDED ACTION

Staff recommends approval of the replat, as submitted.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 6A **FOR AGENDA OF:** May 15, 2008

DESCRIPTION: **Preliminary Plat: Riverside Church of Christ** – A one (1) lot 6.53 acre tract located at 625 Harper Road. Zoned: RC. (File No. 2008-19)

APPLICANT(S): Voelkel Engineering and Surveying

ATTACHMENT(S): Plat

SUMMARY STATEMENT – FINDING OF FACT

History/Timeline:

- April 7, 2008 – Preliminary plat accepted for review.
- April 23, 2008 – Development Review Committee (DRC) process completed.
- April 25, 2008 – Staff comments to applicant.
- **May 15, 2008** – **Consideration of preliminary plat by Commission.**

Summary/Informational Comments:

- Purpose of the preliminary plat is to establish a buildable site for a church.
- The subject tract is zoned RC (Residential Cluster)
- Municipal utilities exist to serve this tract, however it may be necessary to pump sewer from this tract to a sewer main.
- Fire hydrants must meet City of Kerrville minimum spacing requirements and fire flow.
- Any drive approach required for this development must have TxDOT approval.
- Staff research shows an access easement from Harper Road behind lots in the Fawn Valley Estates subdivision, show easement on final plat.
- An off-site drainage easement may be required to satisfy on-site drainage requirements.
- General Notes #1 and #4 appear to be the same, review and remove one if necessary.
- Preliminary construction plans have been submitted for this project and are under review. Prior to final plat approval construction plans must be approved by the City Engineer.
- Preliminary plat approval will expire one (1) year from the date of approval unless a final plat has been accepted for review.

RECOMMENDED ACTION

Staff recommends approval of the preliminary plat, subject to the following conditions;

1. Show all existing and proposed easements on the final plat with dimensions and labeled by type to include franchise utilities. Label existing easements as 'Existing' and provide recording information. Identify proposed easements by stating dedication method within parenthesis, ex. (By Plat).
2. Add a ten (10) foot City of Kerrville Utility Easement along Harper Road.
3. Add a twenty (20) foot easement for the proposed on-site fire hydrant, contact developer's engineer for location.
4. Show the detention area easement and include the standard detention area dedication note on the final plat.
5. Show right-of-way width of Harper Road, provide dimensions from property corners to adjacent right-of-way line.
6. Add note: This tract is zoned RC (Residential Cluster), building setback lines shall be in accordance with the City of Kerrville Zoning Code.
7. Show adjacent properties, i.e. Blue Bell Hills.
8. Remove staff names from signature blocks, show as; City Engineer, City of Kerrville.
9. Any additions and/or alterations to the engineering plans and/or plat as may be required by the City Engineer.

**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 6B **FOR AGENDA OF:** May 15, 2008

DESCRIPTION: **Waiver Request** – Consider a request for a waiver to Article 10-IV-4, Development Procedures; Section A, Minimum Development Improvements; k, Utility Placement for the Maude Jennings Subdivision. Zoned: RC. (File No. 2007-33)

APPLICANT(S): Habitat for Humanity-Kerr County

ATTACHMENT(S): Applicant's request, Waiver Requirements, Plats

Request:

The developer, Habitat for Humanity-Kerr County, of the Maude Jennings Subdivision, have submitted a request for a waiver to the requirement that all utilities be placed underground. The applicant's request is being based on an adjacent subdivisions use of above ground utilities (Sierra Vista-Section One, which is 'north' of the applicant's development and shares a common street, Shaun Street.

Procedure:

The process for requesting, hearing and the deposition of waiver requests are detailed in Article 10-IV-4, Section B of the Subdivision Regulations, see attached.

The Commission may recommend to the City Council a waiver of the full application of the required improvements, where because of the nature of the development, lot size, topography, distance from the City, remoteness, the improvements required would be impractical at the time of platting to install and/or maintain. Final approval for waivers must be authorized by an affirmative vote of a majority of the City Council.

FINDING OF FACT

Habitat for Humanity-Kerr County is developing a fifty-six (56) lot 12.46 acre single family subdivision located at the northeast corner of the Meadow View Lane and Legion Drive intersection. The preliminary plat for this development was approved with conditions by the Commission at their August 2, 2007 meeting. Construction drawings for the first phase of the development, twenty-four (24) lots, are currently being reviewed by the City Engineer.

While the applicant only mentioned electrical lines in their request, it should be noted that telephone and cable lines will also be over head if the request is granted.

RECOMMENDED ACTION

1. Open the discussion, and
2. Render a decision on the requested waiver.



Habitat
for Humanity[®]
Kerr County Texas

*Building
houses,
building
hope*

March 25, 2008

Gordon Browning, Senior Planner
City of Kerrville
800 Junction Hwy
Kerrville, TX 78028

RE: Waiver for overhead electrical lines in Maud Jennings Subdivision

Dear Mr. Browning,

In regards to the development of 12.46 acres located at Meadowview Dr. and Legion Dr., I would like to request, on behalf of Habitat for Humanity-Kerr County, a waiver of city policies regarding placement of electrical utilities underground. In order to blend in with the adjacent subdivision on Amelia Ct., we are requesting the use of overhead electrical lines.

Please place this request on the P&Z agenda at your earliest possible convenience. I can be contacted at (830) 792-4844 with any questions. Thank you for your consideration in this matter.

Sincerely,

Steve Hamilton
Executive Director
Habitat for Humanity-Kerr County

PO Box 292140
Kerrville, TX 78029-2140
(830) 792-4844

(2) Streetlights easements of five (5) feet in width (2 1/2 feet on each side of lot line) shall be provided for the purpose of service wire installment, when necessary for service.

- k. Utility Placement. All utilities shall be placed underground or if the Developer so elects, they may be placed overhead if located within service drives, alleys, or rear lot easements.

SECTION (B) WAIVERS.

The City Planning Commission may recommend to City Council a waiver or the tempering of the full application of the required improvements, where because of the nature of the development, lot size, topography, distance from the City, remoteness, the improvements required would be impractical at the time of platting to install and/or maintain. Provisions for required improvements to occur following recording in the form of deed restrictions should accompany all waiver requests. All requests for improvement waivers shall be submitted in writing to the City Planning Commission and shall be accompanied with the following information;

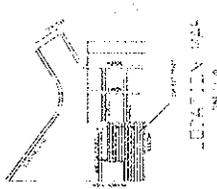
1. Statement of intended development,
2. Statement justifying the requested waiver,
3. The nature of the waiver (ex., request for reduction of sidewalks from both sides of street to on
4. Plan identification of the waiver.

Final approval for waivers must be authorized by an affirmative vote of majority of the City Council.

SECTION (C) DEVELOPMENT COSTS

1. Developer. The developer shall, at developer's expense, construct all improvements – both on site and off site – required by this ordinance and, water pumping stations, sewage lift stations, bridges, major drainage structures, and other improvements required to service the development proposed. All streets, utilities, and improvements within the City Limits shall become the property of the City of Kerrville upon completion and acceptance. The developer, at developer's expense, shall extend all water mains, sewer lines, other utilities and streets to the outer boundaries of the subdivision for future use beyond the subdivision.
2. City. Except as otherwise provided herein, where the City requires improvements of a cost greater than that required for the subdivision itself, then the City shall pay any additional cost thereof.

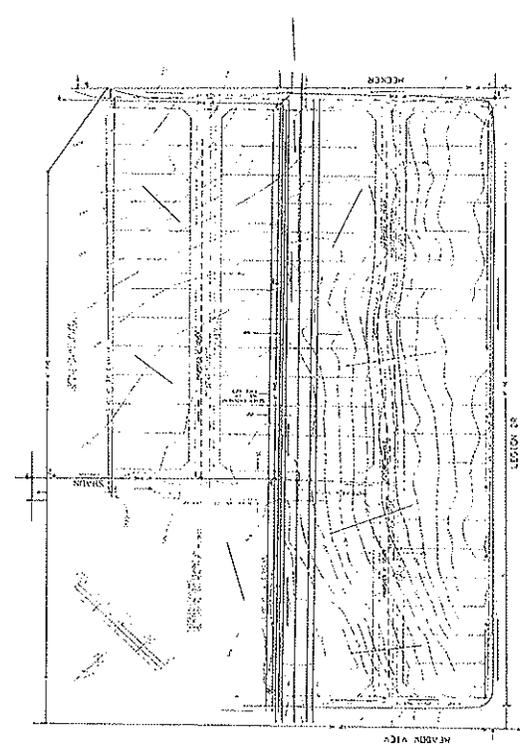
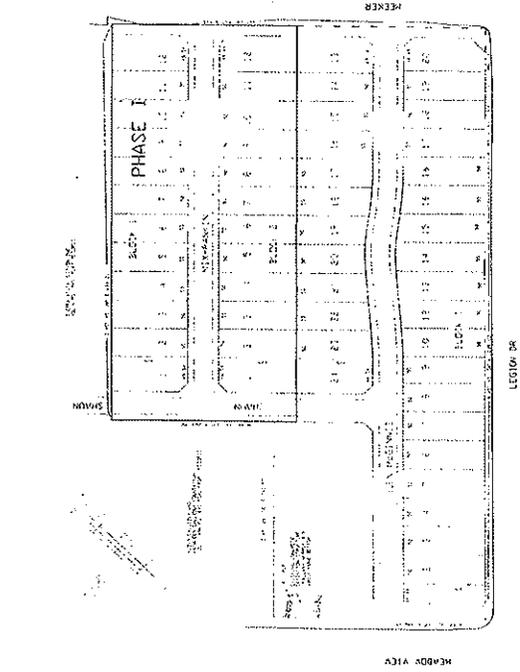
Preliminary Plat Habitat for Humanity Kerr County Maude Jennings Subdivision



MAUDE JENNINGS SUBDIVISION
KERR COUNTY, TEXAS
PRELIMINARY PLAT

LEGEND

---	PROPOSED LOT LINES
---	EXISTING LOT LINES
---	PROPOSED DRIVE
---	EXISTING DRIVE
---	PROPOSED DRIVE
---	EXISTING DRIVE
---	PROPOSED DRIVE
---	EXISTING DRIVE



**BUSINESS OF THE PLANNING AND ZONING COMMISSION
CITY OF KERRVILLE, TEXAS**

AGENDA ITEM: 7A **FOR AGENDA OF:** May 15, 2008
DESCRIPTION: Future Agenda Items
APPLICANT(S): Gordon Browning, Senior Planner
ATTACHMENT(S):

The following items have been scheduled for the Commissions June 5, 2008 meeting;

Plats:

Preliminary Plat: Evans Addition - A one (1) lot 2.51 acre tract located at the northwest corner of Knapp Road and Junction Highway (SH 27) across from Wal – Mart. Zoned: GR. Applicant: Domingues and Associates. (File No. 2008-21)

Residential Replat: Comanche Trace, Phase 5 – A replat of lots 15 and 16, Comanche Trace, Phase 5 located at 3200 Pinnacle Club Court Units 15 and 16. Zoned: PDD. Applicant: Grogan Surveying. (File No.2008-22)

Zoning:

Zoning Change Request – A request to change the zoning from E – 25 (East Side District) to a PDD (Planned Development District) to allow an elderly (age restricted) apartment development on 7.14 acres located at the south corner of the Clearwater Paseo and E. Main Street intersection. Zoning: E – 35. Applicant: MacDonald Companies. (File No. 2008-13)

Condition Use Permit (CUP) Request – A request for a CUP to allow a vehicle maintenance and repair facility on an approximately 0.40 acre tract located at 1312 Broadway. Zoned: C -17. Applicant: Donald Young for Action Automotive. (File No. 2008-20)